

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Hurley School District
Accountability Review - Focus Monitoring Report 2010-2011

Team Members: Donna Huber; Team Leader, Brenda Boyd, Education Specialists and Bev Petersen, Transition Liaison.

Dates of On Site Visit: March 1, 2011

Date of Report: May 4, 2011

3 month update due: August 4, 2011

Date Received:

6 month update due: November 4, 2011

Date Received:

9 month update due: February 4, 2012

Date Received:

Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

(1) That the requirements of this article are carried out;

(2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:

(a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and

(b) Meets the educational standards of the state education agency, including the requirements of this article; and

(3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

(1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;

(2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and

(3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)

State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order

1) GENERAL SUPERVISION

Present levels: February 11, 2004

ARSD(s) 24:05:25:04 Evaluation Procedures

School districts shall ensure, at a minimum, a child is assessed in all areas related to the suspected disability and those evaluation procedures include a variety of assessment tools and strategies to gather relevant functional and developmental information about the child.

In six out of eleven files checked there was no evidence of functional assessment. Special education personnel have attempted to address the issue of functional assessment, however in six out of seven files there was no written analysis of functional evaluation. Teachers showed evidence of functional assessment in the present levels of performance, but they were not included in the written evaluation.

The review team found no transition evaluations completed for three out of three files reviewed.

Follow-up: March 1, 2011

Finding: No systemic findings

2) GENERAL SUPERVISION

Present levels: February 11, 2004

ARSD 24:05:27:01.03 Content of IEP

Present levels of performance should address the following and must be linked to the annual goals and objectives: student's strengths, student weaknesses, areas/skills to be addressed, parent input, how the student's disability affects the student's involvement and progress in the general curriculum

1. The present levels of performance were not skill based in ten out of twelve of the files reviewed. Ex: "He has been doing extremely well in his classes.... His behavior has also shown improvements....Teachers and parents have also commented on his positive behavior..." "During testing areas of weakness that appeared included his receptive and expressive language skills." "He is doing very well in remediating the articulation and expressive language errors he exhibited at the time of testing. He had made tremendous progress in developing appropriate sound speech during therapy times. There are still times when his expressive speech in conversation is punctuated by some misarticulations or substitutions."
2. In three out of three early childhood Individual Education Programs, the Present Levels of Performance addressed placement of students. Placement should not be addressed until after goals and objectives have been written and the team is discussing Least Restrictive Environment. "Some areas that will be assisted on in the ECSE setting will be: 1/1 number association, opposites, letters of first name, and to categorize items. The ECSE setting will assist **** on delays, as he will have social modeling from peers."
3. There was no parent input documented in the present levels of performance in four out of twelve of the files reviewed.
4. There were no statements addressing the effect of the disability in general education in five out of eleven files reviewed.
5. In three out of three files reviewed for students over the age of 14, transition was not addressed in the present levels of performance.
6. Goals and objective of educators are skill based and measurable, but do not link to the present levels of performance. All goals addressed should have an area of strengths and needs in the present levels of performance. Example: Student with reading goals did not have present levels of performance addressing the reading area...

Finding:

Through file review, the accountability team determined the district continues to have concerns in the area of IEP content for students identified for speech services.

In two files (9, and 10) the description of services did not separate speech (articulation) and language services.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
Activity/Procedure: 1. District will receive training in the areas of IEP content Data Collection: 1. District will submit the date of the training, person providing the training and names and position of those who attended the training.	March 30, 2011	Special Education Staff	
Activity/Procedure: 2. District (speech therapist) will adequately address all content in the IEP, including: a) Skill based PLAAFP, b) Goals and c) Description of services. Data Collection: 2. Speech therapist will submit 1 IEP per reporting, including the PN for the meeting.	March 1, 2012		

9 month Progress Report:

Present levels: March 1, 2011

Finding:

Through the process of validating the 2010 child count, the accountability team determined one student was placed on Hurley's December 1, 2010 child count who was no longer receiving special education services on

December 1. As per the documentation on the student's IEP, the student's parents had declined services on November 29, 2010.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
Activity/Procedure: 1) The district will report only those students who are eligible for special education and have an active IEP effective December 1 on the child count. Data Collection: 1) District will document what method they will be using to ensure only those students that meet eligibility and have an active IEP on December 1 are reported on the December child count.	March 1, 2012	Special Education Director	

3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

4) GENERAL SUPERVISION (Indicator 3)

State Performance Plan - Indicator 3: Participation and performance of children with disabilities on statewide assessments.

1. Percent of districts meeting State's AYP objectives for progress for disability subgroup.
2. Participation rate for children with IEPs in a regular assessment with not accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
3. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

Present levels: March 1, 2011

Finding: Through file review, the monitoring team determined the district consistently aligns accommodation to meet the needs of the student's disability and accommodations that were addressed in the IEP for statewide assessment were actually used during the statewide testing.

But in the three files reviewed for statewide testing, the district used accommodations during statewide testing which were not used for the student's daily instruction. For example, in one file, read aloud and alternative setting were used during statewide testing but were not used on a daily basis. In the other two files, the district had marked the student would receive an alternate setting during statewide testing but was not done so on a daily basis.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
Activity/Procedure: 1. The district will review current policy/procedure to determine why discrepancies are occurring. 2. Develop a process that will allow for the appropriate documentation and provision of accommodations for state/district assessments. Data Collection: The district will collect and submit the following data: 1. Written description of the districts review process to identify why the discrepancies are occurring. 2. Written description of the process the district will implement to	March 1, 2012	Special Education Director and Testing Coordinator	

correct the discrepancies.			
----------------------------	--	--	--

3 month Progress Report:

6 month Progress Report:

9 month Progress Report: